

AUBURN CITY COUNCIL MINUTES REGULAR SESSION

August 8, 2005

Closed Session, 5:30 p.m.

Regular Session, 6:00 p.m.

The Regular Session of the Auburn City Council was held in the Council Chamber, City Hall at 1225 Lincoln Way, Auburn, California with Mayor Alice Dowdin presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER ROLL CALL

Council Members Present: Kevin Hanley, Keith Nesbitt, Bob Snyder, Mayor Alice Dowdin

Council Members Absent: Mike Holmes

Staff Members Present: City Manager Bob Richardson
City Attorney Charles Wachob
Fire Chief Mark D'Ambrogio
Police Captain Valerie Harris
Public Works Director Charles Clark
Engineering Division Manager Bernie Schroeder
Administrative Analyst/Transit Manager Joanna Belanger
Community Development Director Will Wong
Finance Director Andy Heath

By **MOTION** adjourn to a closed session under Government Code section 54957: **WITHOUT OBJECTION**

(1) **PUBLIC EMPLOYEE APPOINTMENT**
Title: City Attorney

REPORT OUT OF CLOSED SESSION

No reportable action taken.

RECONVENE REGULAR SESSION

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/ ANNOUNCEMENTS

Mayor's Proclamation: Stepfamily Day, September 16, 2005

AGENDA APPROVAL

Approved.

CONSENT CALENDAR

1. **Council Minutes**

By **MOTION** approve City Council Minutes of July 25, 2005.

2. **Placer County Wine and Grape Association Funding Request for the
3rd Annual Auburn Wine Festival-Economic Development**

Item removed by Council Member Snyder; follows Consent Calendar.

3. **Ashley Memorial Dog Park Foundation Funding Request for the
Splash Dogs Bone-A-Fit--Economic Development Commission
Recommendation**

Item removed by Council Member Snyder; follows Consent Calendar.

4. **Advertising in Auburn Magazine—Economic Development
Commission Recommendation**

By **RESOLUTION 05-95** approve funding for advertising in the Auburn Magazine at a cost of \$2,500, as recommended by the Economic Development Commission.

5. **City Volunteers Declared as Employees under Workers'
Compensation Law**

By **RESOLUTION 05-96** declare City volunteers as employees pursuant to the provisions of Labor Code Section 3363.5 for the purposes of the Workers' Compensation Law.

6. **Information Technology Manager and Information Systems Analyst Job Descriptions**

By **RESOLUTION 05-97** approve the Information Technology Manager and Information Systems Analyst job descriptions.

***** End of Consent Calendar *****

By **MOTION** approve Consent Calendar as amended. **MOTION: Hanley/Nesbitt/Approved 4:0/Absent: Holmes**

7. **Placer County Wine and Grape Association Funding Request for the 3rd Annual Auburn Wine Festival-Economic Development**

Council Member Snyder said he had trouble giving taxpayer money to a charity (Some of the profit from last year's event went to an academic scholarship program for students majoring in agriculture). He said giving to a charity was up to the people if they so choose. He saw no "*economic component*" to this request. He would support in-kind shuttle bus service by the City.

Council Member Nesbitt said this event does bring people in from outside to sample the various wines. In the process they spend money on other items and in other stores. He said he wants the Festival to take the profits and recycle them to promote next year's event. The EDC will not finance this event another year.

Council Member Hanley said this is the third annual of these events. The City did not help finance the first two.

Mayor Dowdin said \$3,000 was too much, but she could support \$1,000 in a partnership with the Association.

By **RESOLUTION** approve in-kind shuttle bus services for the 3rd Annual Auburn Wine Festival. **MOTION: Snyder/Hanley**

MOTION TO AMEND to add \$1,000 for advertising only. **MOTION: Dowdin/Nesbitt/Motion failed 2:2/No: Hanley, Snyder/Absent: Holmes**

By **RESOLUTION 05-94** approve in-kind shuttle bus services for the 3rd Annual Auburn Wine Festival. **MOTION: Snyder/Hanley/Approved 4:0/Absent: Holmes**

8. **Ashley Memorial Dog Park Foundation Funding Request for the Splash Dogs Bone-A-Fit--Economic Development Commission Recommendation**

Council Member Snyder said he could not see the need to contribute taxpayer dollars to this event. However, he would be willing to absorb the costs for building permits etc. for the Dog Park.

Council Member Nesbitt said this event brings in people from all over. Since this is a two-day event, some of the people will be spending money at restaurants and elsewhere in town.

Council Member Hanley said he supports granting the \$500 because this event does bring in people from everywhere.

Mayor Dowdin said she is a strong supporter of the Dog Park, but could not support giving any additional City dollars if they were not coming from the Park Mitigation fees.

By **RESOLUTION** approve a funding grant in the amount of \$500 for the Splash Dogs Bone-A-Fit, as recommended by the Economic Development Commission. **MOTION: Hanley/Nesbitt/Motion failed 2:2/No: Snyder, Dowdin/Absent: Holmes**

9. **Public Comment**

None.

REPORTS

10. **Informational Reports from Staff**

A. Police Chief's Quarterly Report. Police Captain Valerie Harris read the Chief's report as outlined in the agenda.

11. **City Council Committee Reports**

Council Member Snyder reported that another human case of West Nile Virus had been detected. So far in Placer County 38 birds (2 from Auburn) have died from the disease. He also announced that on August 20th from 9:00 a.m. to 12:30 p.m. at the DeWitt center, the Mosquito Abatement District will be giving away mosquito fish to people who have ponds.

Council Member Nesbitt said the Economic Development Commission is moving forward on the expansion of the Redevelopment Agency. The interviewing process should start in September.

COUNCIL BUSINESS

12. Ordinance Amendment for Garage/Yard Sales-2nd Reading

There was no discussion by the Council or public.

By **ORDINANCE 05-08** adopt the Garage/Yard Sales Ordinance which amends Title IX of the Auburn Municipal Code by adding Chapter 103. Hold 2nd reading by title only. **MOTION: Hanley/Nesbitt/Approved 4:0/ Absent: Holmes**

Second reading by title only by City Attorney Charles Wachob.

13. Agreement with Western Placer Waste Management Authority for the Delivery of Solid Waste to the Material Recovery Facility in Roseville

Public Works Director Charles Clark said that the Waste Management Authority had given Auburn their assurance that they will do everything they can to help us with the 50% reduction in our solid waste. This ten-year commitment gives them the assurance that they will have the necessary resources to do the 25 million dollar expansion of the Material Recovery Facility and to continue the service they are providing.

Council Members Nesbitt and Snyder said they have a problem with some of the language of the agreement, specifically paragraph 4A that states the City “*shall not initiate additional City-operated or authorized recycling programs*” and Paragraph 4B that states the City “*shall not authorize, through provisions in a franchise, permit, license or contract any solid waste enterprise to engage in the recovery of recyclable materials from the City waste stream*” without the Authority’s prior written consent.

City Attorney Charles Wachob said it does appear to tie the City’s hands. However, there should be some kind of comfort level that the City will be able to do what it needs to do and that permission isn’t unreasonably withheld, if some new initiative comes up that the City wants to engage in. He said if the Council wants to recommend a specific change and ask the Authority to approve it or not it’s within their discretion. He said he doubted that the Authority would agree to any variations from this contract. That point was made very strongly to him during negotiations.

Mr. Wachob suggested that the Council take a vote on this agreement and, if it fails, then direct staff to contact the Waste Management

Authority and tell them about our concerns and see if they are willing to talk about some changes in the actual wording. The Council agreed.

By **RESOLUTION** authorize the Mayor to sign and execute the Solid Waste Agreement with Western Placer Waste Management Authority.

MOTION: Hanley/Dowdin/Failed 2:2/No: Nesbitt,Snyder/Absent: Holmes

WITHOUT OBJECTION the mayor asked the City Attorney to discuss the above concerns with the Authority to determine how flexible they may be to make some revisions.

WITHOUT OBJECTION the mayor ordered that this item be reconsidered at a future meeting.

14. **Nevada Street Corridor General Plan Designations and Zoning**

Community Development Director Will Wong said the Nevada Street corridor has a variety of zoning inconsistencies. Staff recommends that the City study the corridor and initiate the appropriate General Plan amendments and rezonings and also authorize the expenditure of funds for the SEQA documentation. The costs will be more than originally estimated in the staff report by \$7,000.

A. By **RESOLUTION 05-98** direct staff to study the Nevada Street corridor and initiate the appropriate General Plan Amendment and Rezoning of parcels. **MOTION: Nesbitt/Hanley/Approved 4:0/ Absent: Holmes**

B. By **RESOLUTION 05-99** authorize the expenditure from the General Fund of either \$66,000 for a Mitigated Negative Declaration or \$104,093 for an Environmental Impact Report for the Nevada Street General Plan Amendment and Rezoning. **MOTION: Nesbitt/Hanley/Approved 4:0/Absent: Holmes**

15. **Adoption of Ad Valorem Debt Service Tax Rate for General Obligation Bonds – Fiscal Year 2005-06**

Finance Director Andy Heath said that California Code requires that the City Council annually fix the tax rate necessary for debt service of voter approved debt. Annual adoption of a tax rate amount is required to satisfy General Obligation Bond debt incurred in 1987 as it relates to the Auburn Civic Center. This debt will be retired in August, 2008. The tax rate amount calculated for the 2005-06 fiscal year is \$0.0129 per hundred dollars of assessed valuation.

By **RESOLUTION 05-100** adopt a Debt Service Tax Rate for the redemption of voter approved General Obligation Bonds (Auburn Civic Center – 1987) in the amount of \$0.0129 dollars per hundred dollars of assessed valuation for fiscal year 2005-06. **MOTION: Nesbitt/Hanley/**
Approved 4:0/Absent: Holmes

At this time Mayor Dowdin congratulated City Attorney Charles Wachob on his appointment by the governor to serve as a judge on the Superior Court.

ADJOURNMENT at 7:40 p.m.

Alice Dowdin, Mayor

Joseph G.R. Labrie, City Clerk